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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/807,652	02/27/97	MAJEED	P8064-6032

METROPOLITAN SQUARE  
SUITE 330 G STREET LOBBY  
655 15TH STREET NW  
WASHINGTON DC 20005-5701

12M2/1010

EXAMINER

GOLDBERG, J

ART UNIT

1205

PAPER NUMBER

DATE MAILED:

10/10/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**Application No.  
**08/807,652**Applicant(s)  
**Majeed**Examiner  
**Jerome D. Goldberg**Group Art Unit  
**1205**☒ Responsive to communication(s) filed on Feb 2, 1997☐ This action is **FINAL**.☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**☒ Claim(s) 1-25 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.☐ Claim(s) \_\_\_\_\_ is/are rejected.☐ Claim(s) \_\_\_\_\_ is/are objected to.☒ Claims 1-25 are subject to restriction or election requirement.**Application Papers**☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119**☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)**☐ Notice of References Cited, PTO-892☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Restriction to one of the following invention is required under 35 U.S.C. 121.

Group I: Claims 1-9 and 24 drawn to method for promoting lean body mass.

Group II: Claim 25 drawn to a method for treating mood disorder.

Composition claims 10-13 and 19-23 will be examined with the elected invention of Groups I or II.

Group III: Claims 14-18 drawn to a method for producing the compound from plant extract.

The several inventions above are independent and distinct, each from the other, as they have acquired a separate status in the art as a separate subject matter for inventive effect and require independent searches. It is noted that a reference to one disease condition would not be a reference to another disease condition under 35 U.S.C. 103. Further, the claims read on a multitude of diseases conditions which would require many field of searches that would be an undue burden on the Examiner. Therefore, restriction for examination purposes is proper.

Applicants required to make a provisional election even though this requirement is traversed.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. D. Goldberg whose telephone number is (703) 308-4606. The examiner can normally be reached on Monday - Thursday from 9:00 a.m. to 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, Marianne Cintinis, can be reached on (703) 308-4725. The fax phone number for this Group is (703) 308-4556.

Any inquiry of a general nature or relation to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1235.

J. Goldberg/llw  
October 8, 1997



JEROME D. GOLDBERG  
PRIMARY EXAMINER  
GROUP 1200